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9 UNITED STATES BANKRUPTCY COURT
10 WESTERN DISTRICT OF WASHINGTON—TACOMA DIVISION

11 IN RE:

12 STANLEY JAMES CONKLIN AND TAMMY
13 KATHRYN CONKLIN DBA TK CONKLIN
14 PHOTOGRAPHY,

15 Debtors.

Case No.: 18-44145-MJH

Chapter 13

OPPOSITION TO OBJECTION AND
NOTICE TO SECURED CLAIM #6-1 OF
TOYOTA MOTOR CREDIT
CORPORATION SEEKING ALLOWANCE
OF SECURED CLAIM AT NO GREATER
THAN \$29,011.90 AT AN INTEREST RATE
NO GREATER THAN 1.9% WITH ANY
REMAINING BALANCE AS UNSECURED
WITH PROOF OF SERVICE

Date: 4/9/19

Time: 1:00 p.m.

Location: Tacoma, WA

28 Secured Creditor Toyota Motor Credit Corporation (“Creditor”), respectfully submits its

29
30 OPPOSITION TO OBJECTION AND NOTICE TO SECURED CLAIM #6-1 OF TOYOTA
31 MOTOR CREDIT CORPORATION SEEKING ALLOWANCE OF SECURED CLAIM AT
32 NO GREATER THAN \$29,011.90 AT AN INTEREST RATE NO GREATER THAN 1.9%
WITH ANY REMAINING BALANCE AS UNSECURED WITH PROOF OF SERVICE

1 Opposition to the Objection and Notice to Secured Claim #6.1 of Toyota Motor Credit Corporation
2 Seeking Allowance of Secured Claim at No Greater than \$29,011.90 at an Interest Rate No Greater
3 than 1.9% with Any Remaining Balance as Unsecured with Proof of Service (“Objection”), of
4 Debtors Stanley James Conklin and Tammy Kathryn Conklin dba TK Conklin Photography
5 (“Debtors”).
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7

8 I. Understatement of Interest Rate.

9 1. Creditor opposes the Objection to the extent that it seeks an interest rate lower
10 than 7%. Creditor maintains that it is entitled to the *Till* rate plus a risk factor of 2%.
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12 WHEREFORE, based upon the foregoing, Creditor respectfully requests that:

- 13 1. The Objection be overruled; and
14 2. Such further relief as the Court deems just and proper.
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16 Dated: March 6, 2019

17 Respectfully submitted,

18 /s/ Jason C. Tatman

19 Jason C. Tatman, Esq.
20 Attorney for Secured Creditor
21 Toyota Motor Credit Corporation
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30 OPPOSITION TO OBJECTION AND NOTICE TO SECURED CLAIM #6-1 OF TOYOTA
31 MOTOR CREDIT CORPORATION SEEKING ALLOWANCE OF SECURED CLAIM AT
32 NO GREATER THAN \$29,011.90 AT AN INTEREST RATE NO GREATER THAN 1.9%
WITH ANY REMAINING BALANCE AS UNSECURED WITH PROOF OF SERVICE

1 **CERTIFICATE OF SERVICE**

2 I am employed in the county of San Diego, California. My business address is 5677
3 Oberlin Drive, Suite 210, San Diego, CA 92121. I am over the age of eighteen years and not a
4 party to this action.

5 On March 6, 2019, I served the Opposition to the Objection and Notice to Secured Claim
6 #6.1 of Toyota Motor Credit Corporation Seeking Allowance of Secured Claim at No Greater
7 than \$29,011.90 at an Interest Rate No Greater than 1.9% with Any Remaining Balance as
8 Unsecured with Proof of Service on the interested parties in this action by placing a true and
9 correct copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the
10 United States mail at Encinitas, CA, as follows:

11 (X) (BY REGULAR MAIL) I caused such envelope(s) with postage thereon fully prepaid to
12 be placed in the United States mail at Encinitas, CA. I am "readily familiar" with this firm's
13 practice of collection and processing of correspondence for mailing. It is deposited in the U.S.
14 Postal Service on that same day in the ordinary course of business. I am aware that on motion of
15 the party served, service is presumed invalid if the cancellation date or the postage meter date is
16 more than 1 day after date of deposit for mailing affidavit.

17 (X) (FEDERAL) I declare under penalty of perjury under the laws of the United States of
18 America that the above is true and correct.

19 Executed on March 6, 2019, at Encinitas, CA.

20 /s/ Darren J. Devlin
21 Darren J. Devlin, Esq.

22 Stanley James Conklin and Tammy Kathryn Conklin, 19905 97th Ave., Ct. E, Graham, WA
23 98338

24 John A. Sterbick, 1010 South I Street, Tacoma, WA 98405

25 Michael G. Malaier
26 *via ecf only*
27
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